

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

UNITED STATES OF AMERICA,)	
)	
v.)	
)	
RICHARD A. SZPYT & RAMON)	Docket no. 2:11-cr-228-GZS
DELLOSANTOS,)	
)	
Defendants.)	

ORDER ON MOTION FOR ADMISSION OF VIVIAN SHEVITZ

Before the Court is Defendant Richard Szpyt's Motion for Admission of Vivian Shevitz, *Pro Hac Vice* as CJA Co-Counsel, *Nunc Pro Tunc* to September 20, 2012 (ECF No. 125). The Government has indicated it takes no position on the Motion. As explained herein, the Motion is hereby GRANTED IN PART.

In the pending Motion, Defense counsel indicates that Attorney Vivian Shevitz has assisted him in the work completed on Defendant Szpyt's Motion to Dismiss based on Double Jeopardy Violations (ECF No. 102), which was filed on November 30, 2012 and to which Defendant filed a reply on February 15, 2013. As a result, he seeks a retroactive appointment of Attorney Shevitz. The Court declines to appoint Attorney Shevitz retroactively and notes that nowhere in the motion papers submitted did Attorney Sharon indicate that Attorney Shevitz had participated in the preparation of the submitted papers. However, to the extent the double jeopardy issue remains unresolved and set for hearing, the Court will appoint Attorney Shevitz as co-counsel for Defendant Szpyt as of this date. The Court will waive the *pro hac vice* fee in connection with this appointment of Attorney Shevitz.

The Court notes that its appointment of Attorney Shevitz is limited to assisting Attorney Sharon with the double jeopardy issues currently before the Court. To the extent Attorney Sharon believes that Attorney Shevitz's appointment should continue after the pending motion to dismiss is resolved or extend to other matters, he shall file a motion providing good cause for such an extension prior to having Attorney Shevitz do further work in connection with Defendant Szpyt's case.

SO ORDERED.

/s/ George Z. Singal
United States District Judge

Dated this 21st day of March, 2013.